

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES D. BOYD,

Plaintiff,

v.

DIANE BROWNELL and ANTHONY C.  
BENAK,

Defendants.

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File No. 1:13-CV-604  
Adv. Proc. No. 12-80372  
HON. ROBERT HOLMES BELL

**ORDER APPROVING AND ADOPTING  
REPORT AND RECOMMENDATION**

The Court has reviewed United States Bankruptcy Judge Jeffrey R. Hughes's May 10, 2013, report and recommendation ("R&R") recommending that Trustee James D. Boyd's motion for entry of default judgment against Defendants Diane Brownell and Anthony Benak be granted. (Dkt. No. 1, Attach. 1, R&R.) Defendants are not represented by counsel. The R&R was mailed to Defendants at their last known addresses on May 16, 2013. (Adv. Proc. No. 12-80372, Dkt. No. 15.) Defendants have not filed any objections to the R&R, and the time for doing so has expired. *See* Bankr. R. 9033(b). The Court has reviewed the R&R, and agrees with its recommendation. Accordingly,

**IT IS HEREBY ORDERED** that the May 10, 2013, R&R of the Bankruptcy Judge (Dkt. No. 1, Attach. 1) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that the Trustee's motion for entry of default judgment (Adv. Proc. No. 12-80372, Dkt. No. 10) is **GRANTED**.

**IT IS FURTHER ORDERED** that Trustee James Boyd is **AUTHORIZED TO SELL** the undivided interests of Defendants Diane Brownell and Anthony Benak in the real property located at East M-72, Williamsburg, Michigan, pursuant to 11 U.S.C. § 363(h).

Dated: July 12, 2013

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE